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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF: DISAPPEARANCES AND SUMMARY EXECUTIONS

Written statement*/ submitted by Pax Christi International, International Catholic Peace Movement, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 January 2001]

*/ This written statement is issued, unedited, as received in English and French from the submitting non-governmental organization(s).

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Question of the violation of human rights: civil and political rights, including the question of disappearances: missing persons from Kosovo (Serbs, Albanians and Roma)

Missing persons from Kosovo (Serbs, Albanians and Roma)

The facts:
Probably more than 3,000 persons from Kosovo are still missing, according to the information available to various national and international human rights organisations. These Kosovo Albanians, Serbs and Roma disappeared either during the war or in the post-war period.

The vast majority of the estimated 500-1,000 missing Serbs disappeared after the end of the war in a wave of violence as the newly empowered Albanians sought revenge for years of repression by the Milosevic government. While UNMIK and KFOR entered Kosovo and took responsibility for public security, the situation in Kosovo was so chaotic that data on missing persons, found bodies and other information from witnesses were not properly processed and probably lost. In the early period of international rule in Kosovo, the problem of missing non-Albanians was virtually ignored. As far as we know, not a single case of a missing Serb has been resolved so far. While family members are devastated by the uncertainty about the fate of their relatives, the public and political attention to the fate of missing persons is very small.

The change of power in Belgrade is having a positive impact on the efforts to clarify the fate of missing people. Yugoslav president Kostunica opened a special office to deal with missing people from Kosovo. Local Serbs co-operating with OSCE or UNMIK, now dealing with the question of missing people, are no longer called "traitors".

Along with the missing Serbs, according to ICRC, more than 2,700 Kosovo Albanians are also missing, most from the era of Serbian rule in Kosovo. A lot of Roma from Kosovo are known to have fled to Macedonia and Serbia, but many other Roma are still missing. Their fate is even more neglected than the one of missing Albanians and Serbs.

The longer it takes, the slimmer the chances of finding any missing persons -Serbs, Albanians or Roma - alive.

Recommendations of Pax Christi International:

To the Serbian and Yugoslav authorities:

- Both sides - the Albanian Kosovars and the new leadership in Belgrade - should start independent and impartial investigations into the fate of missing persons, both Albanian Kosovars, Serbs and Roma who disappeared during or after the Kosovo conflict. All existing information on their fate should be made available immediately to the United Nations Mission in Kosovo (UNMIK). If these missing persons are still alive, they should be released immediately.
  This could become a Confidence Building Measure, which would increase chances for establishing the right atmosphere needed for any meaningful process of Serbian-Albanian dialogue.

To the Kosovo Albanian political leaders:

- The Kosovo Albanian political leaders should undertake all possible efforts to clarify the fate of missing persons of whatever ethnic background.

- In case of the death of missing persons, the leadership should oversee the immediate handover of their remains to their families.
- The Kosovo Albanian political leaders should do whatever possible to assist bringing to justice the perpetrators of killing missing persons.

To the International Community:

- UNMIK, bearing the legal and moral responsibility for the territory under its jurisdiction in accordance to Resolution 1244/99, should shed light on the fate of all missing persons as soon as possible and prevent further violations of human rights. The United Nations, the European Union, the OSCE as well as the individual governments should give all possible assistance to this undertaking.
- The International Community should undertake, as soon as possible, all necessary steps in order to bring the perpetrators of unlawful killings of missing persons to justice.